

**Testimony of Robert Kipp,
President of the Common Ground Alliance
to the Subcommittee on Energy and Air Quality**

April 27, 2006

SUMMARY

The Common Ground Alliance is a nonprofit organization dedicated to shared responsibility in the damage prevention of underground facilities. The CGA works to prevent damage to the underground infrastructure by:

- fostering a sense of shared responsibility for the protection of underground facilities;
- supporting research;
- developing and conducting public awareness and education programs;
- identifying and disseminating the stakeholder best practices such as those embodied in the Common Ground Study; and
- Serving as a clearinghouse for damage data collection, analysis and dissemination.

Since meeting with this committee in July 2004, the CGA has grown to more than 1200 individuals representing 15 stakeholder groups and 130 member organizations. In addition, there are some 1000 or so members involved in our 43 regional partner groups.

Each of the 15 stakeholder groups has one seat on the CGA board of directors, regardless of membership representation or financial participation. CGA members populate the organization's six working committees: Best Practices, Research & Development, Educational Programs & Marketing, Membership, & Communications Committee, Data Reporting & Evaluation, , and the One Call Center Education Committee.

Key initiatives described in the following testimony include:

- A. Resolution of 9 NTSB recommendations forwarded to the CGA for resolution by the Office of Pipeline Safety;
- B. Rollout of 43 regional CGA's throughout the country;

- C. Identification of the “Virginia Pilot Project for Locating Technology”;
- D. Implementation of the CGA Damage Information Reporting Tool (DIRT);
- E. Review of CGA Best Practices and their relation to PHMSA’s Distribution Integrity Management Program;
- F. Review of D.I.M.P. results, the Virginia and Minnesota Enforcement Programs and the use of the CGA D.I.R.T. tool in support of these programs;
- G. Rollout of “811”, the 3 digit number to access one call centers across the country

Testimony of Robert Kipp, Executive Director of the Common Ground Alliance, to the Subcommittee on Energy and Air Quality

Good afternoon, Mr. Chairman and members of the Committee. My name is Robert Kipp and I am the President of the Common Ground Alliance (CGA). I am pleased to appear before you today to represent the CGA.

Background:

The Common Ground Alliance is a nonprofit organization dedicated to shared responsibility in the damage prevention of underground facilities. The Common Ground Alliance was created on September 19, 2000, at the completion of the “Common Ground Study of One-Call Systems and Damage Prevention Best Practices.” This landmark study, sponsored by the U.S. Department of Transportation Office of Pipeline Safety, was completed in 1999 by 161 experts from the damage prevention stakeholder community.

The “Common Ground Study” began with a public meeting in Arlington, VA in August 1998. The study was prepared in accordance with, and at the direction and authorization of the Transport Equity Act for the 21st Century signed into law June 9, 1998 that authorized the Department of Transportation to undertake a study of damage prevention practices associated with existing one-call notification systems. Participants in the study represented the following stakeholder groups: oil; gas; telecommunications; railroads; utilities; cable TV; one-call systems and centers; excavation; locators; equipment manufacturers; design engineers; regulators; federal, state, and local government. The Common Ground Study concluded on June 30, 1999 with the publication of the “Common Ground Study of One-Call Systems and Damage Prevention Best Practices.”

At the conclusion of the study, the Damage Prevention Path Forward initiative led to the development of the nonprofit organization now recognized as the Common Ground Alliance (CGA). The CGA’s first board of directors’ meeting was held September 19, 2000. Building on the spirit of shared responsibility resulting from the Common Ground Study, the purpose of the CGA is to ensure public safety, environmental protection, and the integrity of services by promoting effective damage prevention practices.

The CGA now counts more than 1,200 individuals representing 15 stakeholder groups and over 130 member organizations. Each of the 15 stakeholder groups has one seat on the CGA Board of Directors, regardless of membership representation or financial participation. CGA members populate the organization’s six working committees: Best Practices, Research & Development,

Educational Programs Marketing, Membership, & Communications, Data Reporting & Evaluation, the One Call Center Education Committee, and the Regional Partners Committee.

WORKING COMMITTEES

The CGA working committee guidelines include:

- All stakeholders are welcomed and encouraged to participate in the Committees' work efforts.
- Committee members represent the knowledge, concerns and interests of their constituents.
- A “primary” member is identified within each Committee for each particular stakeholder group as the spokesperson for consensus decisions.

The Common Ground Alliance is managed by the association's Board of Directors. Currently, each director on the Board represents one of the fifteen CGA stakeholder categories. The Directors are elected by the CGA members within their respective stakeholder group, and represent the stakeholder group at approximately 5 meetings and to 3 – 6 teleconferences per year. Following are the names of the directors and the stakeholder group they represent.

<i>Excavator</i>	Fred Cripps, Distribution Construction Company
<i>State Regulator</i>	Glynn Blanton, Tennessee Reg. Authority
<i>Insurance</i>	Raymond Pycrz, Aegis Insurance Service, Inc.
<i>Railroad</i>	Bob VanderClute, Association of American Railroads
<i>Oil</i> (vice chair).....	Timothy Felt, Explorer Pipeline Company
<i>Locators</i>	Jamal Masumi, Utiliquet LLC
<i>Public Works</i>	Mark Macy, City of Nashville
<i>One Call</i>	JD Maniscalco, Utility Notification Center of Colorado
<i>Equipment Mfg</i>	Scott Pollman, Subsite Electronics
<i>Gas</i> .(chair).....	Paul Preketes, Consumers Energy
<i>Engineering</i>	Bill Johns, SPEC Services
<i>Road Builder</i> ...(treasurer).....	Vic Weston, Tri-State Boring
<i>Electric</i>	Alan Yonkman, Detroit Edison
<i>Telecomm</i>	John Thomas, Sprint
<i>Emergency Services</i>	Jim Narva, Dep. of Fire Protection/Electrical Safety, State of Wyoming

A. Best Practices Committee

To promote damage prevention, it is important that all stakeholders implement the damage prevention Best Practices currently identified in the Common Ground Study Report, as applicable to each stakeholder group. The Best Practices Committee focuses on identifying those Best Practices that are appropriate for each stakeholder group, gauging current levels of implementation and use of those Best Practices, and encouraging and promoting increased implementation of the Best Practices.

B. Research and Development Committee

The Research & Development Committee's primary role is to promote damage prevention research and development and serve as a clearing house for gathering and disseminating information on new damage prevention technologies and practices. The Research and Development Committee seeks to identify new technologies and existing technologies that can be adapted to damage prevention.

C. Educational Programs and Marketing, Membership, & Communication Committee

The Committee develops and communicates public stakeholder awareness and educational programs. These programs and products focus on the best practices and the theme of damage prevention. The Committee looks at existing damage prevention education programs to identify opportunities where the CGA can have significant impact in furthering the reach and effectiveness of those programs and the Committee develops new educational messages and items.

The Committee pursues opportunities where it can best promote the organization to increase sponsorship and membership. The Committee is also dedicated to the adoption of the Best Practices and promotion of damage prevention at the local level, and the committee has developed the CGA's Regional Partner Program to further this effort.

D. Data Reporting and Evaluation Committee

The Data Reporting & Evaluation Committee looks at currently available damage data, the gaps where additional data reporting and evaluation is needed, and how such data for various underground infrastructure components can best be gathered and published. Reporting and evaluation of damage data is important to: measure effectiveness of damage prevention groups; develop programs and actions that can effectively address root causes of damages; assess the risks and benefits of different damage prevention practices being implemented by various stakeholders; and assess the need for and benefits of education and training programs.

E. One Call Center Education Committee

The purpose of One-Call Systems International (OCSI) is to promote facility damage prevention and infrastructure protection through education, guidance and assistance to one call centers internationally. They are also responsible for coordination of the nationwide rollout of “811”.

F. Regional Partner Committee

The CGA recognizes that existing regional damage prevention groups have invaluable knowledge and experience, and these groups continue to make great strides in preventing excavation damage to America’s infrastructure. The CGA also recognizes that some areas of the country currently have no regional damage prevention programs. Through the CGA Regional Partner Program, the CGA partners with existing local, regional, and state damage prevention programs that have an objective of promoting communication among all stakeholders about damage prevention Best Practices.

ACTIVITIES

A. NTSB RECOMMENDATIONS

In July of 2001, the Office of Pipeline safety requested CGA’s assistance in resolving and responding to a number of outstanding National Transportation Safety Board recommendations. In the past 5 years the CGA contributed to the closing of 9 NTSB recommendations. A tenth recommendation was directed to the CGA in 2005 and is currently in committee. The first nine recommendations were deemed “Closed – Acceptable” by the NTSB.

B. REGIONAL PARTNER PROGRAM

Since beginning this program, some 43 regional partners have been accepted into the CGA.

These partners cover groups operating across most of the United States and parts of Canada.

Their membership totals more than 1000 individuals involved in our industry across this country.

The Regional Partners are:

<u>Alberta Utility Coordination Council</u>	<u>Nevada Regional CGA Partnership</u>
<u>Allegheny/Kiski Valley Coord. Committee</u>	<u>New Jersey Common Ground Alliance</u>
<u>Blue Stakes of Utah Utility Notification Center</u>	<u>New Mexico Regional CGA</u>
<u>British Columbia Common Ground Alliance</u>	<u>North Carolina Regional CGA</u>
<u>California Regional Common Ground Alliance</u>	<u>Northeast Illinois Damage Prevention Council</u>
<u>Central Texas Damage Prevention Council</u>	<u>Northwest Region Common Ground Alliance</u>
<u>Delaware Valley Damage Prevention Council</u>	<u>Oklahoma One-Call System</u>
<u>Denver Metropolitan DPC</u>	<u>Ontario Region Common Ground Alliance</u>
<u>Dig Safely New York Regional DPC</u>	<u>Pittsburgh Public Service Committee</u>
<u>El Paso County Damage Prevention Council</u>	<u>Public Service Committee Indiana County</u>
<u>Georgia Utilities Coordinating Council</u>	<u>Quebec Regional CGA</u>
<u>Greater Columbus Damage Prevention Council</u>	<u>SE North Dakota – Utility Partnership</u>
<u>Greater Toledo Underground DPC</u>	<u>Southwest Ohio Utility Safety Council</u>
<u>Greater Youngstown Underground DPC</u>	<u>Tennessee Damage Prevention Committee</u>
<u>Indiana Underground Plant Protection Service</u>	<u>Texas Common Ground Committee</u>
<u>Johnstown Area Public Service Committee</u>	<u>Utilities Council of Northern Ohio</u>
<u>Miami Valley Utility Damage Prevention Council</u>	<u>Utility Service Protection Center, Delmarva</u>
<u>Michigan Damage Prevention Board</u>	<u>Virginia Utility Protection Service, Inc.</u>
<u>Minnesota Utility Alliance</u>	<u>Western Region Common Ground Alliance</u>
<u>Miss Utility of West Virginia</u>	<u>Wisconsin Underground Contractors Assoc.</u>
<u>Mississippi One-Call System, Inc.</u>	<u>Wyoming Regional CGA Partnership</u>
<u>Missouri Common Ground</u>	

C. VIRGINIA’S PILOT PROGRAM FOR ONE – CALL LOCATION TECHNOLOGY

In 2005 a number of representatives from various industry groups, government, and associations met to put together a framework to develop a trial program in Virginia. The purpose of this pilot project will be to research and implement new and existing technologies that appear to have

great potential to significantly enhance the communication of accurate information among excavators, one-call centers, underground facility operators and facility locators.

In ensuing meetings the participants list has grown, the business case developed, timelines developed, and processes set to begin the trial in the next few months. It is expected that the results will be known in a year. As can be seen from the list of participants that follows, the industry is poised to make this trial the high water mark for the industry in terms of technology use and benefits of same.

Participants List

Participant	Organization
Johnnie Barr	NUCA (Ward & Stancil, Inc.)
Terry Boss	INGAA
Scott Brown	Washington Gas
Carl Brumfield	Utiliquest
Corey Bufi	GE
Rodney Cope	GE
Kris Countryman	Verizon
Kim Cranmer	Verizon
David Doyle	ProMark
Quintin Frazier	Plantation/Kinder Morgan
Catherine Graichen	GE
Harvey Haines	PRCI
Wayne Hamilton	Plantation/Kinder Morgan
Roger Haycraft	Texas Gas Transmission/PRCI
Christina Head	Colonial Pipeline
Sandra Holmes	AZ Blue Stake/CGA R&D Committee
Blaine Keener	PHMSA
Bob Kipp	CGA (conference line)
Joe Kucera	Angler Construction Co. / HCCA
Cedric Kline	Colonial Pipeline
Jamal Masumi	Utiliquest
Stu Megaw	AGC
Dan Paterson	Williams
Rick Pevarski	Virginia UPS
Dave Price	Virginia UPS
Massoud Tahamtani	Virginia SCC
George Tenley	PRCI

Dwayne Teschendorf	Duke
Scott Thetford	GE
Scott Tolliver	Verizon
Isaac Weathers	Georgia Utilities Protection Center
John West	VUPS Board
Jeff Wiese	PHMSA
Herb Wilhite	Cycla Corp.

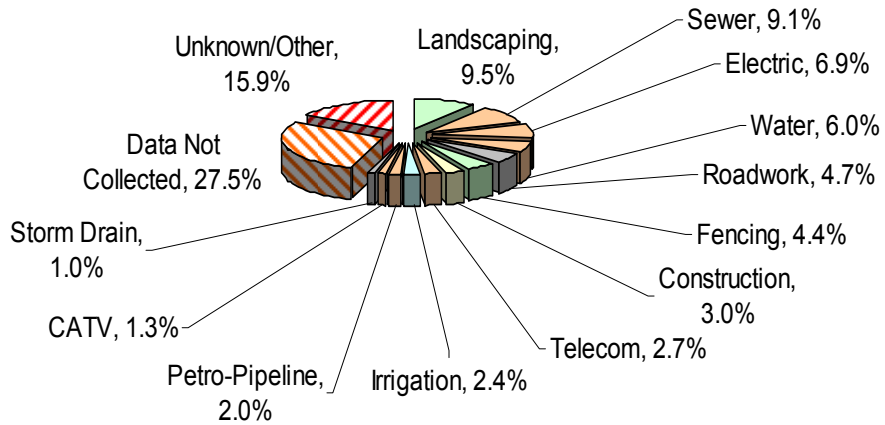
D. DAMAGE INFORMATION REPORTING TOOL

The primary purpose in collecting underground facility damage data is to analyze data, to learn why events occur, and how actions by industry can prevent them in the future; thereby, ensuring the safety and protection of people and the infrastructure. Data collection will allow the CGA to identify root causes, perform trend analysis, and help educate all stakeholders so that damages can be reduced through effective practices and procedures.

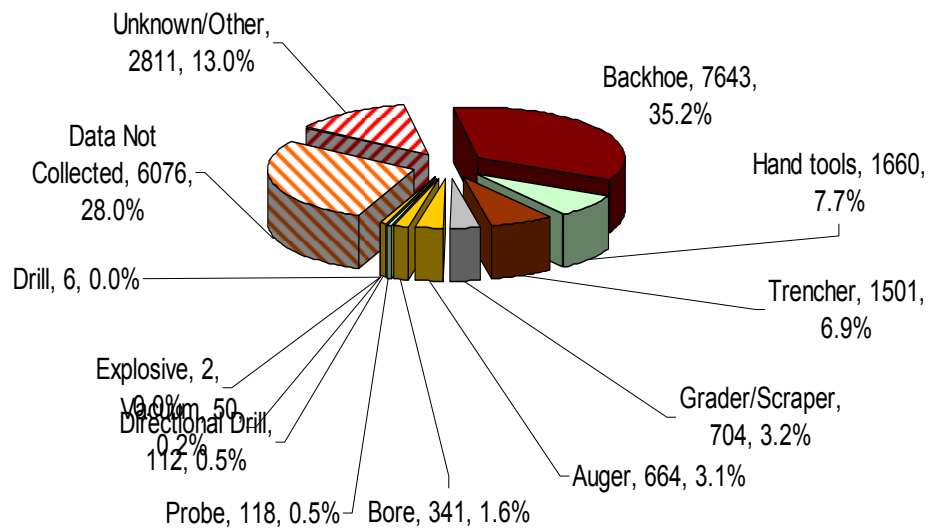
The CGA's purpose is to reduce underground facility damage, which threatens the public's safety and costs billions of dollars each year. In order to better understand where, how and why these damages are occurring, we require accurate and comprehensive data from all stakeholders. Late last year the CGA published its first report on damage data.

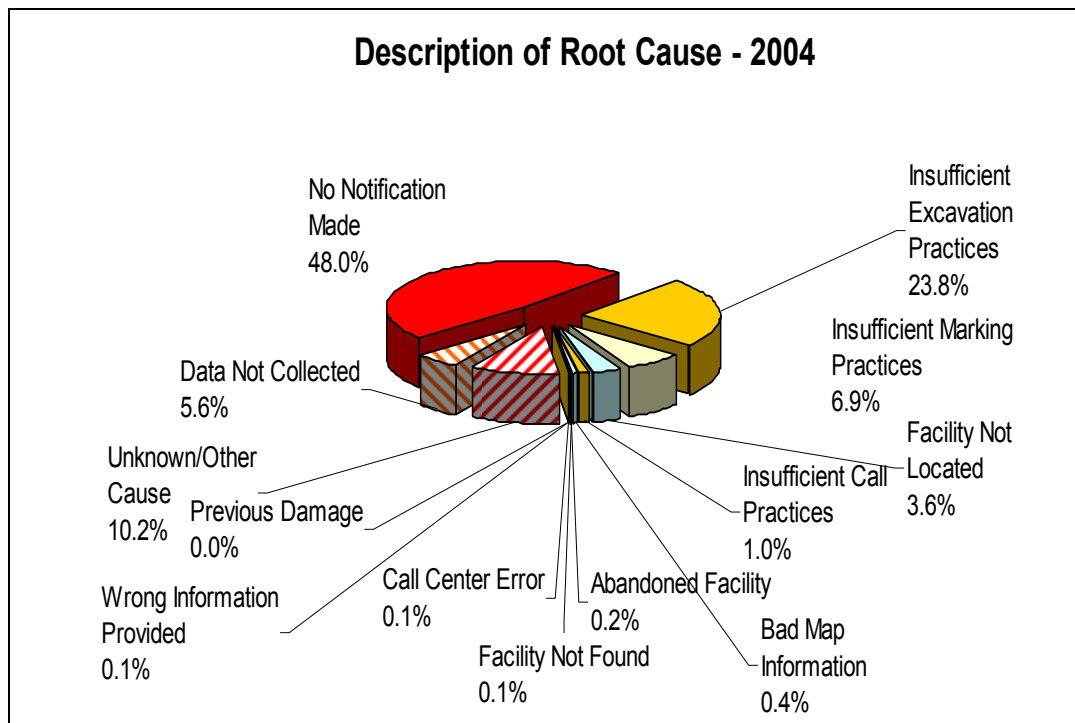
A sample of the charts and graphs included in this report follows.

Type of Work-Performed - 2004
Top 14 of 33 Categories (>= 1.0%)



Type of Excavation Equipment - 2004





It should be noted that the estimate of damages to our underground infrastructure ranges between 600, 000 and 750,000 damages per year. Of the damage reports available for analysis, more than 40% of the damages were associated with work where a call to the 1 call center had NOT occurred.

The CGA is hopeful that this system will be used by all stakeholders on a nationwide basis, in order to help the industry gather the statistical data that will enable us to develop plans to help us reduce the approximately 400,000 damages nationwide.

A number of state regulators are currently considering gathering damage data within their jurisdictions. We hope that those states considering adopting some of the practices in Colorado, Connecticut and other states, consider utilizing the CGA system in order to have one uniform, actionable national database.

The CGA believes that a strong state compliance and enforcement program combined with strong damage data analysis will assist in reducing damages.

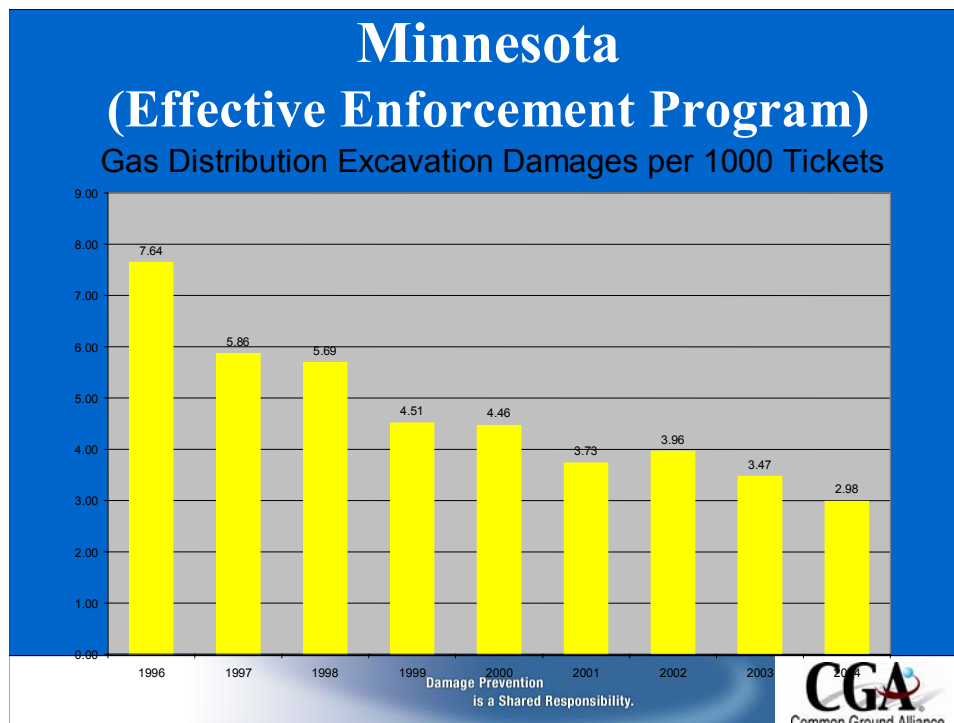
E. BEST PRACTICES – COMPLIANCE AND ENFORCEMENT

In August 1999, the 161 experts who developed the Best Practices unanimously agreed that an effective Compliance and Enforcement program at state level was required to reduce the incidences of damage to the infrastructure.

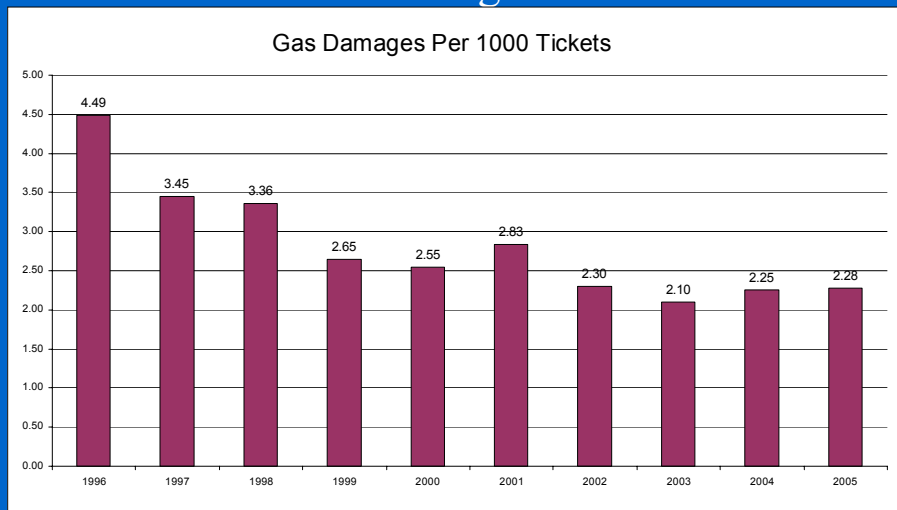
These practices are contained in the Common Ground Alliance's Best Practices Version 3.0

There are a number of states with effective enforcement programs including Minnesota, Virginia, New Hampshire, Maine, Connecticut, New Jersey, Arizona, Massachusetts, Virginia, and others.

That idea holds true today. When examining gas distribution damage data available to the D.I.M.P. committee responsible for analysis, the rate of damages in Virginia and Minnesota, 2 states with effective enforcement programs, the rate of damages per 1000 tickets was far superior to 2 comparable states with no enforcement programs. This can be seen in the following charts:



VIRGINIA --Total Statewide Gas Facility Damages

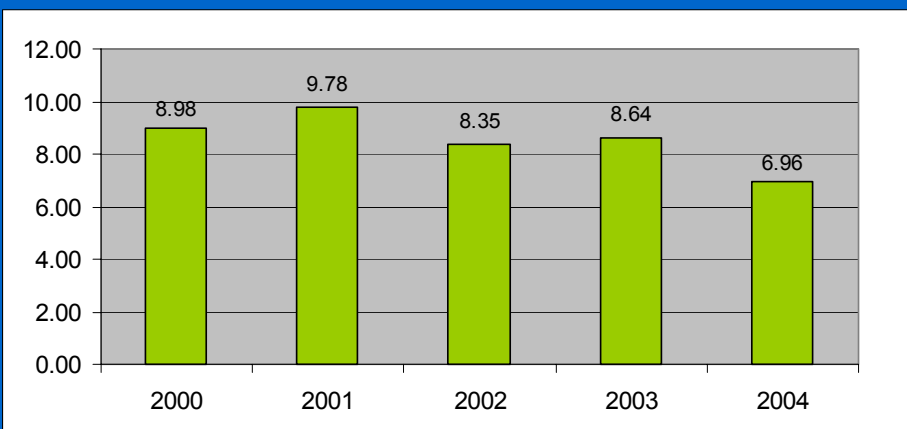


Damage Prevention
is a Shared Responsibility.



State Without Effective Enforcement

Gas Distribution Leaks Repaired per 1000 Tickets
Third Party (2000-2003) and Excavation (2004)

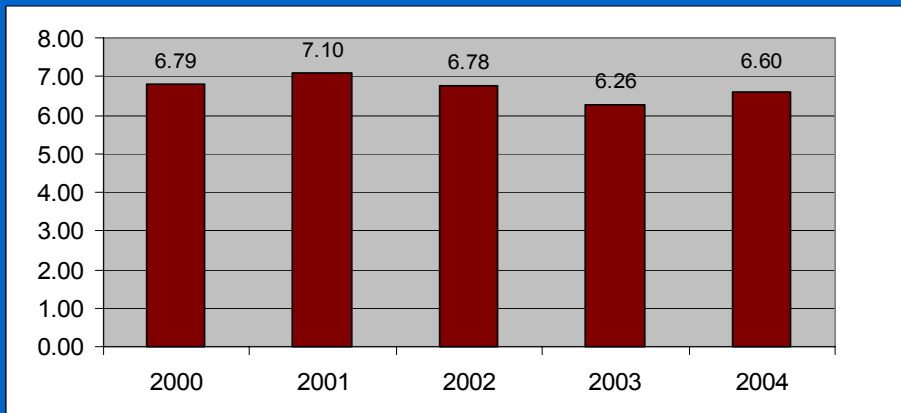


Damage Prevention
is a Shared Responsibility.



State Without Effective Enforcement

Gas Distribution Leaks Repaired per 1000 Tickets
Third Party (2000-2003) and Excavation (2004)



Damage Prevention
is a Shared Responsibility.



These slides are from the Distribution Integrity Management Program Report available on PHMSA's website.

F. D.I.M.P. RESULTS

MINNESOTA AND VIRGINIA ENFORCEMENT PROGRAM

Though operationally different the Virginia Program under Massoud Tahamtani and the Minnesota Program under Charles Kenow and Mike McGrath are similar in that every gas or liquid damage is investigated, and when appropriate, the company responsible for the damage is fined.

Their damage rates are very low when compared to most states without enforcement programs. Earlier, I stated that in more than 40% of damages in the country, no call was made to the 1 call center. In Virginia, the number is between 13% and 18%. They are virtually all homeowners. Additionally, 99.0% of locates are done on time in both Minnesota and Virginia. The industry has responded positively to the enforcement program.

The professional excavator knows that when he calls, the locate will be done on time. The owner/operator hires sufficient well-trained locators to do the job on an accurate and timely basis. Marks are adhered to, injuries are reduced, standown time is reduced, damages are reduced and both the public and industry benefit from a professional work process.

One of the key findings in the D.I.M.P. report is that the Federal Government finds the means to encourage State Governments to develop and implement a Compliance and Enforcement Program. The CGA has worked closely with Stacey Gerard and her staff in many of the initiatives described in this paper and has found PHMSA to be very supportive of all stakeholders involved in this industry and the CGA's consensus process.

In many ways the D.I.M.P. report to PHMSA under the chairmanship of Glynn Blanton of Tennessee mirrors many of the findings of the original best practices report of 1999.

The CGA supports this concept and has promoted a State Compliance and Enforcement Program since the publication of the Best Practices in 1999.

G. 3-DIGIT-DIALING

On December 17, 2002, President George W. Bush signed into law the “Pipeline Safety Improvement Act of 2002”. Included in this Act was the following provision:

“Within 1 year after the date of the enactment of this Act, the Secretary of Transportation shall, in conjunction with the Federal Communications Commission, facility operators, excavators, and one-call notification system operators, provide for the establishment of a 3-digit nationwide toll-free telephone number system to be used by State one-call notification systems.”

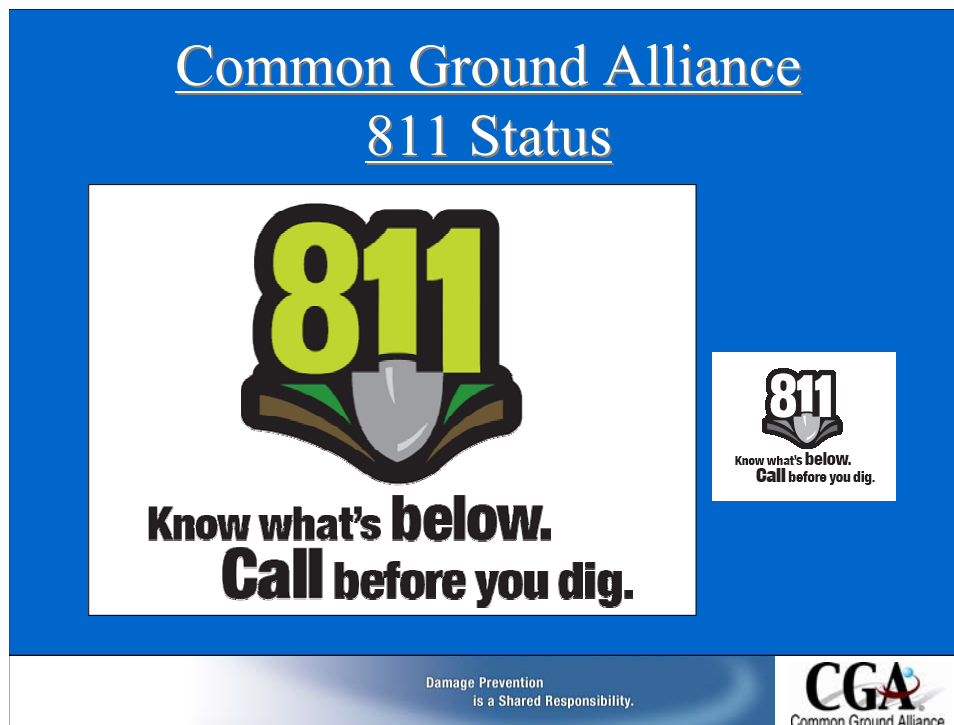
We congratulate and thank this committee and former congressman Chris John for introducing and sponsoring 3digit dialing as a provision to the “Pipeline Safety Improvement Act of 2002.”

We congratulate the FCC commissioners on their unanimous support of this endeavor. The One Call Centers across the country have been working with the various telecoms to coordinate implementation of “811” in order to completely rollout the system in early 2007. We expect an increase in the more than 20 million annual calls received by the nation’s 62 one call centers. We believe that a coordinated public awareness campaign should help reduce the 40% of damages where no call was made to the 1 call center.

Bill Kiger and Sandy Holmes our One Call co-chairs have worked with the telecoms the past few months to ensure a seamless transition to “811”. We congratulate Verizon Wireless and the numerous rural and community telephone companies who have completed the translation work

in their switches at no cost to the one call centers. Bill Kiger is currently negotiating what we hope will be a similar arrangement with Cingular. At this time we are not aware of any issues which will prevent a complete transition to the “811” number early next year.

While our One Call Center Committee have been working with the technical aspects of the conversion Tom Shimon and Dan Meiners CGA’s 811 task team co-chairs have successfully contracted to Celeritas and Krysanne Kerr the task of coordinating the development of a logo and tagline as well as as selecting a firm to develop a public awareness campaign. Below is the logo and tagline developed by RBMM of Dallas.



The CGA is proud of the new 811 logo and tagline and looks forward to nationwide use of this mark to announce 811 implementation.

CLOSING

The Common Ground Alliance is a true member-driven organization. Members from the 15 stakeholder groups work together to determine direction and problem-solve, making the CGA a truly unique forum. The 300 or so committee members check egos at the door and work together to develop consensus decisions. Their efforts and the financial support of their companies are what make the CGA the success it has become.

The CGA would not exist without the financial and logistical support of Ms. Stacey Gerard of PHMSA and her great staff led by Jeff Wiese who can never do enough for the CGA. The CATS folks of PHMSA led by Blaine Keener have been a wonderful addition to the damage prevention efforts.

Lastly our sponsors; it is the 31 companies that sponsor the CGA that make a difference. There are many other companies in this country reaping substantial benefits from the CGA activities without contributing to its success. To those companies, it's time to get on board.

Thank you for the opportunity to provide you with this testimony.